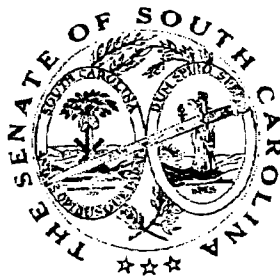


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## AIKEN COUNTY LEGISLATIVE DELEGATION

828 Richland Avenue, West  
Aiken, South Carolina 29801  
Phone: (803) 642-1694  
Fax: (803) 502-1859

September 14, 2009

Public Service Commission of South Carolina  
Attention: Charles L. A. Terreni  
P.O. Drawer 11649  
Columbia, SC 29211

Re: Response to Avondale's Motion to Dismiss  
Docket No. 2009-342-WS

Dear Mr. Terreni:

Please accept this letter as a Supplemental Response to Avondale's Motion to Dismiss in Docket No. 2009-342-WS. The original Response was sent last week on September 8, 2009.

Avondale's Motion to Dismiss should also fail on the basis that there are at least twenty-seven (27) consumers of the public utility who have requested to testify as witnesses at the hearings on either September 30 or October 6, 2009. S.C. Code Sec. 58-5-270 states as follows:

*The commission has jurisdiction to hear **complaints regarding the reasonableness of any rates or charges that affect the general body of ratepayers**; but the commission may at its discretion refuse to entertain a petition as to the reasonableness of any rates or charges **unless it be signed by the mayor or the president or chairman of the board of trustees or a majority of the council, commission or other legislative body of the city or county or city or town affected by the subject matter of such complaint or by not less than twenty-five consumers** of the public utility named in the complaint. (emphasis added).*

A copy of the August 25, 2009 letter naming the 27 people is attached.

Based on the foregoing and the September 8, 2009 letter, neither argument that Avondale presents in support of the Motion to Dismiss has merit. Accordingly, we respectfully request that the Motion be denied. If you need additional information from us, please let us know.

Sincerely,



Senator Shane Massey  
Senate District 25



Rep. J. Roland Smith, Chairman  
House District 84



Rep. Tom Young, Jr.  
House District 81

cc: Scott Elliott, Esq.  
C. Dukes Scott, Esq.  
Jeffrey M. Nelson, Esq.  
Shealy Boland Reibold, Esq.  
Michael Hunt  
Joe A. Taylor



## House of Representatives

State of South Carolina

**Tom Young, Jr.**

District No. 81 - Aiken County

P. O. Box 651

Aiken, SC 29802

Tel: (803) 649-0000

Fax: (803) 649-7005

416-A Blatt Building

Columbia, SC 29211

Tel. (803) 212-6884

Email: [TomYoung@schouse.org](mailto:TomYoung@schouse.org)

**Committee:**

Judiciary

August 25, 2009

Public Service Commission of South Carolina

Attn: Docketing Department

PO Drawer 11649

Columbia, SC 29211

Re: Docket No: 2009-342-WS

Dear Sir or Madam:

Pursuant to the Deadlines Notice issued in this matter, please be aware that the following residents of Graniteville and Vauluse who are customers of the Avondale Water System wish to testify or present evidence at the October 6, 2009 hearing:

Joel Randall  
Joe Taylor  
Mike Hunt  
Cheryl Johnson  
Trey Sharp  
Vicki Johnson  
Lewis Ready  
Jerry Glisson  
Bobby Montgomery  
Mike Green  
Lewis Storey  
Christine Sanders  
Chip Prince  
Glenda Hodges

Tommy Brantley  
Debbie McGee  
Rachael White  
Otis Melton  
Herbert Padgett  
Bobbi Jean Padgett  
Donna Simpson  
Leann Cantrell  
Wayne Hicks  
Earl Wilson  
Wayne Johnson  
Barry Antley  
Beth Lowe

Thank you for your attention.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Tom".

Tom Young, Jr.

Cc: Office of Regulatory Staff  
Scott Elliott, Esq.  
Sen. Shane Massey